

Lafayette Consolidated Government

Zoning Commission

Community Development and Planning Staff Report

EXECUTIVE SUMMARY

ZON2022-0037

City Council District: 1 – Pat Lewis

Parish Council District: 5 – AB Rubin

Applicant: Claude Alexander III

Request: This is a request to rezone property from RM-1 (Residential Mixed) to CM-1 (Commercial Mixed), in order to open a **retail sales** business: *a convenience store (without gas sales)*.

Location: 811 Benoit-Falgout Drive

Summary of Proposal:

The purpose of this rezoning from RM-1 (Residential Mixed) to CM-1 (Commercial Mixed) is to open a **retail sales** business-*a convenience store without gas sales*.

Recommendation:

Staff supports rezoning from RS-1(Residential Single-Family) to MN-1 (Mixed-Use Neighborhood). Staff recommends considering MN-1 (Mixed-Use Neighborhood) instead of CM-1 (Commercial Mixed). A convenience store is permitted in a MN-1 (Mixed-Use Neighborhood) zoning district, and MN-1 would be a more compatible zoning district to the adjacent RM-1 (Residential Mixed) neighborhood. The subject property is very close to I-10, which would justify a commercial zoning district, but it is also very close to a low-density residential neighborhood. A convenience store, as desired by the applicant, without gas sales is permitted in a MN-1 (Mixed-Use Neighborhood).

Reasons for Recommendation:

The subject property is behind Town Home Park Subdivision but is rather isolated due to its orientation to the north and I-10, and also due to the heavy tree line between the subject property and the subdivision. This will limit intrusion into the neighborhood. There is nothing to the north but vacant land and then Interstate-10. There aren't a lot of convenience stores in this general area, so it could be a desirable and useful location for the neighborhood. The convenience store's proposed location could even enable pedestrian access. Also, the subject property is near the Rails for Trails location, and could be a convenient stopping point for bicyclists. This convenience store will not have gas sales. Again, staff is recommending a zoning district of MN-1. Though gasoline sales are not planned it is possible to have this use in CM but not MN-1, thereby making MN more desirable.

Summary of Public Comment:

At the time of publication of the preliminary report, staff received 1 phone call from a neighbor, who did not support the rezoning. He doubted that something of value would be built, and he doesn't want the neighborhood to be hurt by it.

Zoning Commission Meeting

December 19, 2022

ZON2022-0037

To: City-Parish Zoning Commission

From: Mary Sliman, Director
Cathie Gilbert, Planning Manager

City Council District: 1 – Pat Lewis

Parish Council District: 5 – AB Rubin

Prepared by: Carol Vermillion Robbins

PRELIMINARY STAFF REPORT

I. GENERAL INFORMATION

Applicant: Claude Alexander III

Request: This is a request to rezone property from RM-1 (Residential Mixed) to CM-1 (Commercial Mixed) to open a **retail sales** business: *a convenience store without gasoline sales.*

Location: 811 Benoit-Falgout Drive

Description: The subject property is located generally north of Martin Luther King Jr. Drive, west of North St. Antoine Drive, and south of I-10. The property is a total of 0.34 acres.

Why is Zoning Commission action required?

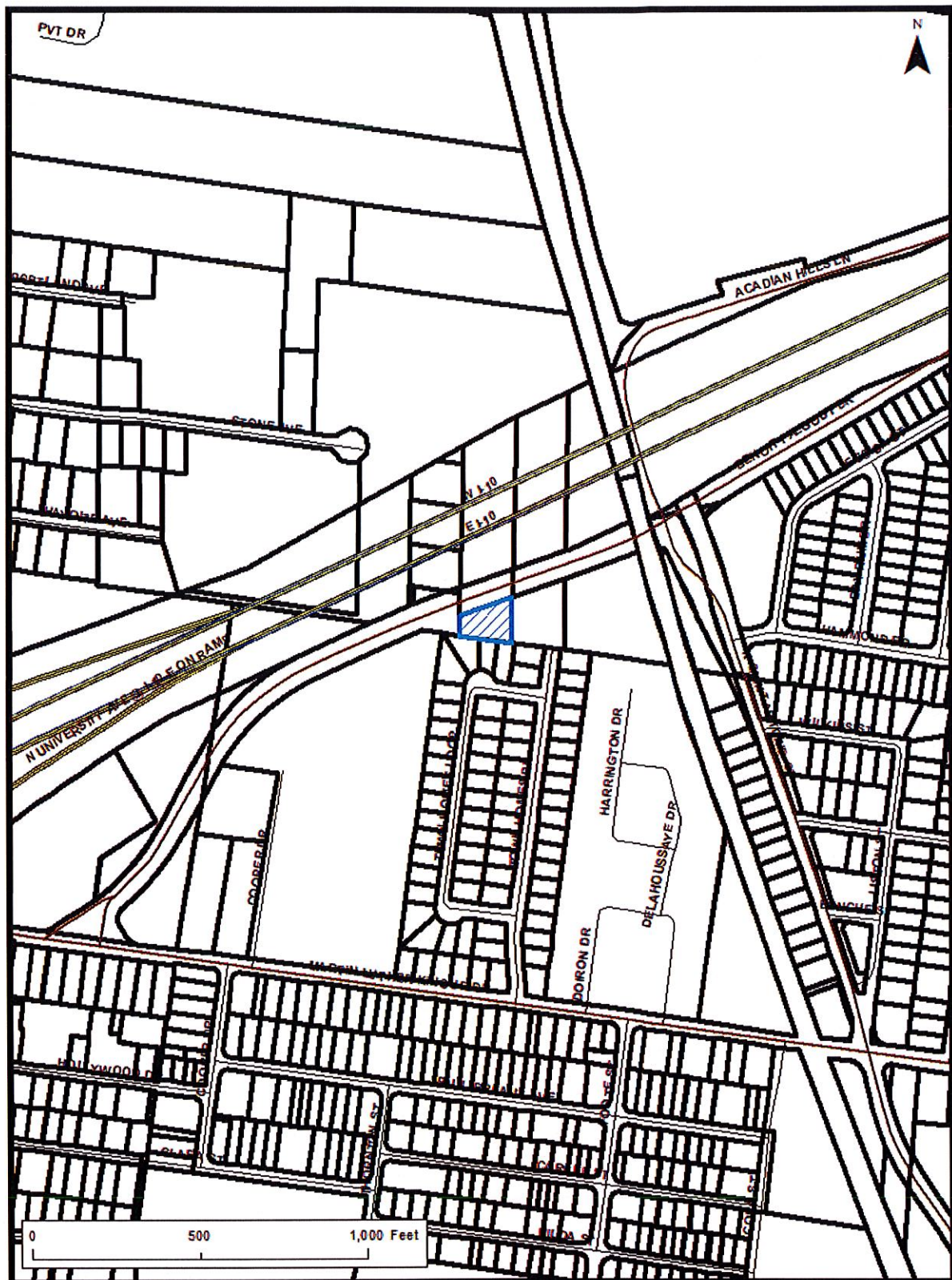
The Zoning Commission is required to make a recommendation on all applications for amendments to the zoning map to the City-Parish Council prior to council action, in accordance with Article 4 of the Lafayette Development Code.

The LDC establishes procedures for making land development decisions. In order to obtain a certificate of occupancy, building permit or to subdivide the property, the zoning district must permit the proposed land use and development standards. The city of Lafayette is divided into zoning districts that can be

generally categorized by agricultural, residential, mixed-use, commercial and industrial land uses. Each zoning district has a set of permitted and/or conditional uses



Subject Property Map

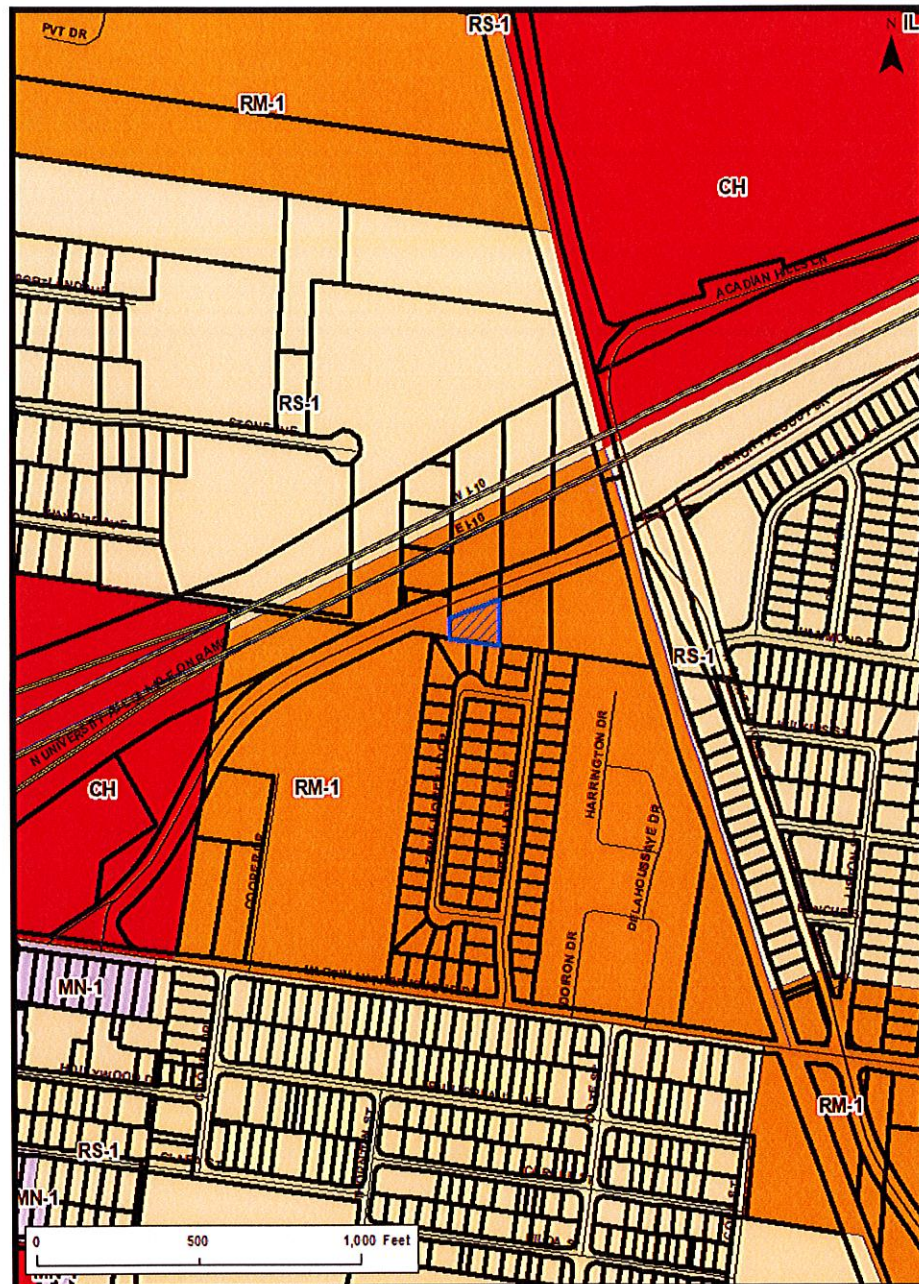


Vicinity Map

II. ANALYSIS

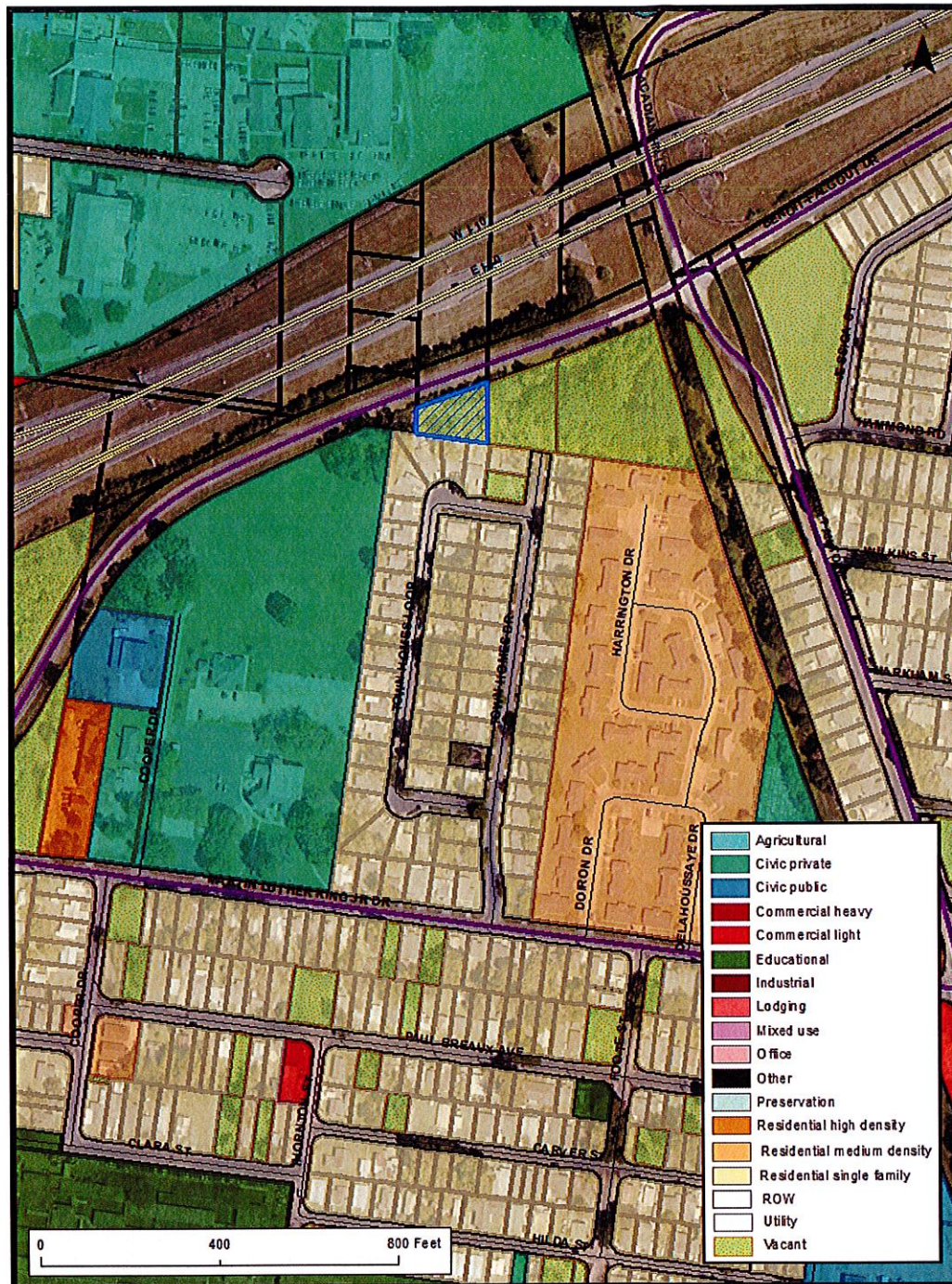
A. Existing conditions

Zoning



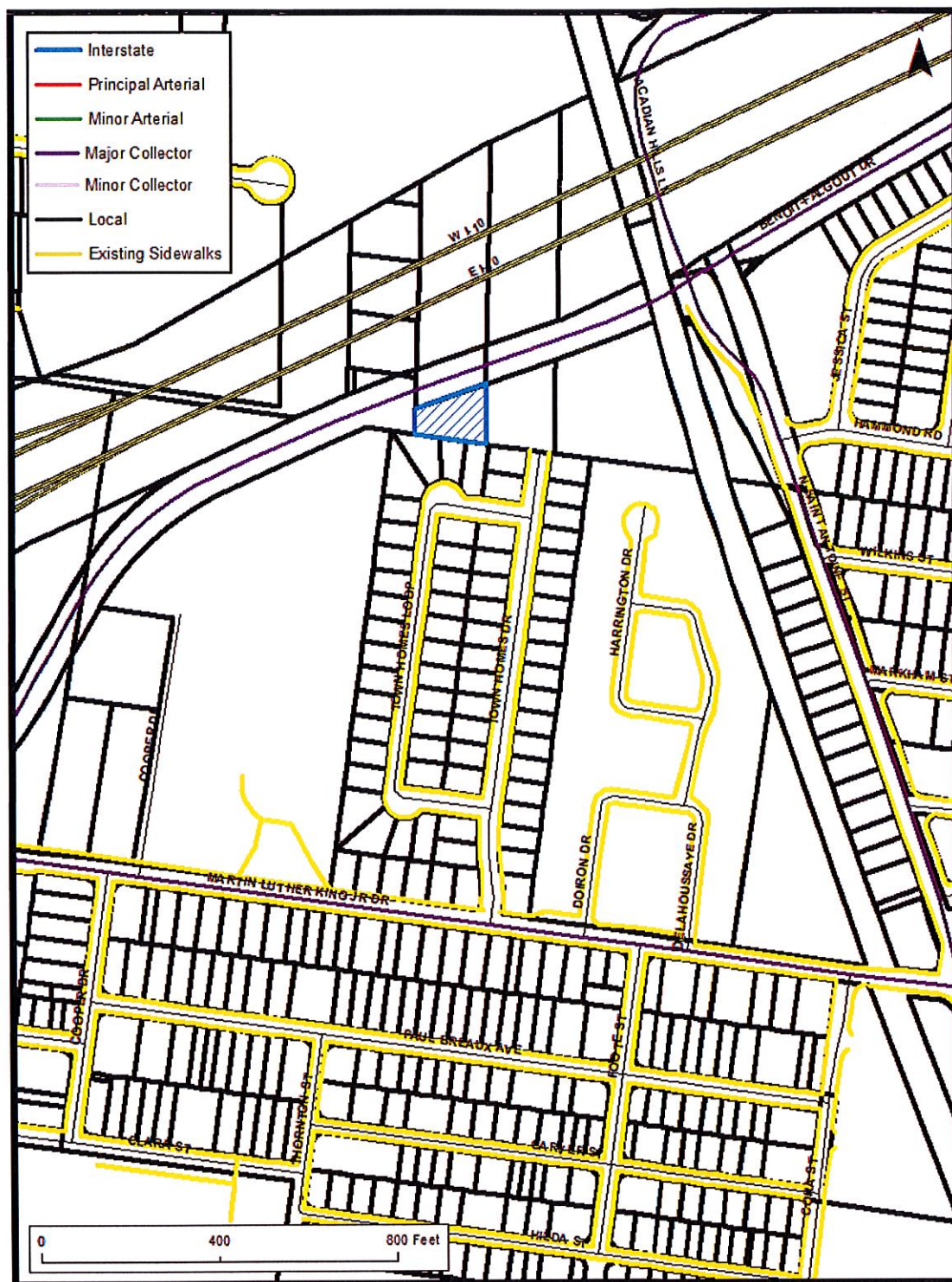
Zoning map of the area surrounding the petitioned site

The subject property is on the northern edge of a large RM-1 area, close to Interstate 10. There are CH (Commercial-Heavy) zoning districts to the northeast and to the west. The remaining area is mostly low-density residential, until North University Avenue, to the west. There are low-density residential properties across I-10 from the subject property also.



Land Use Map

The land uses around the subject property are low density residential neighborhoods to the south, east, and to the west. There is a church (civic private use) to the south, and more civic private use across I-10, at the Lafayette Christian Academy. There are still some undeveloped properties, one or two commercial properties, an area of medium density residential, but the main use in the area is residential single-family. The small commercial properties include a barbershop and a daycare facility.



Street Classification and Sidewalk Inventory Map

The subject property fronts Benoit-Falgout Road, which is a major collector. North St. Antoine Street to the east, and Martin Luther King Jr. Drive, to the south, are both major collectors also. The rest of the roads in this area are local, except for Interstate 10. There is a sidewalk system in the nearby neighborhoods and along N. St. Antoine Street and Martin Luther King Jr. Drive, but there are no sidewalks along Benoit-Falgout Drive.

B. Recent cases and relevant trends

N/A

C. Purpose of rezoning and effect on adjacent land uses

The purpose of this rezoning is to have a retail sales business (convenience store without gas sales) on the subject property. The subject property is oriented toward Benoit-Falgout Drive and I-10, rather than towards and part of the adjacent neighborhood. However, it will still be necessary to protect the neighborhood with a buffer between the RM-1 (Residential Mixed) neighborhood and the proposed CM-1 (Commercial Mixed) property, or the Staff-proposed MN-1 (Mixed-Use Neighborhood) property. This would require a 10' buffer, including a fence. If the subject property were to be rezoned to MN-1 (Mixed-Use Neighborhood) instead, a 10' landscape buffer would still be required, but a fence would not be necessary. There is an existing tree line that would greatly augment a buffer.

D. Evaluation of approval standards

The proposed rezoning is consistent with the comprehensive plan.

N/A.

There was a mistake in the original zoning map or text.

N/A.

The proposed rezoning is compatible with current development trends, if any, in the general area of the property in question.

The proposed rezoning can be compatible with the current development trends in the general area. This is a very residential area. A convenience store, possibly accessible by foot also, could definitely be of use to this community. There are not a lot of commercial properties near this area, and no convenience stores or small grocery stores are readily available to the neighborhood. This is also in proximity to the planned rails-to-trails bike trail. Though Benoit-Falgout essentially acts like a service road the area has developed as predominantly residential.

The proposed amendment promotes the public health, safety, morals and general welfare.

N/A.

The proposed amendment is compatible with surrounding land uses.

Yes, by providing limited and appropriate retail/business next to and part of an existing neighborhood. There aren't any existing small grocery stores or convenience stores in the vicinity, so this could be a very useful addition to the neighborhood. It is important, however, to protect the neighborhood from noise, litter, and traffic. It is good that the subject property faces north to Benoit-Falgout Drive, not into the adjacent neighborhood, as this will limit intrusive traffic into the neighborhood. The required fence and landscaping buffer between the subject property and the neighborhood will also shield the residential area from commercial activities. It would be desirable to have some sort of pedestrian access to the convenience store.



Application for Rezoning Property or Conditional Use Permit (Updated Jan 2021)
Please Check One

- ☒ **Rezoning Property – Reference Unified Development Code Chapter 89-53**
This process may be used to change the zoning of land in the City of Lafayette.
- ☐ **Conditional Use Permit – Reference Unified Development Code Chapter 89-54**
This process may be used to approve certain land uses in certain zoning districts.
- ☐ **Rezoning of Property with Conditional Use Permit**
Rezoning property and a conditional use permit may be combined into one application, where applicable.

BEFORE MAKING AN APPLICATION:

HAVE AN INITIAL CONVERSATION WITH ZONING STAFF – To get in touch, contact Carol Robbins at 337-291-7341 or email Carol Robbins at crobbins@LafayetteLA.gov and CC Cathie Gilbert, the Planning Manager, at cgilbert@LafayetteLA.gov. Before initiating a request for rezoning or a conditional use permit, it is important that the applicant speaks or corresponds with them regarding requirements and procedures.

READ THIS PACKET – This packet contains information and the forms necessary to apply to rezone property and/or request a conditional use permit:

- Application Requirements
- Application
- Addendum Application for A Conditional Use Permit for a Bar/ Lounge in the "D" Downtown Zoning District
- Zoning Commission Meeting Dates and Deadlines for Application

READ PREPARATION OF A REQUEST – Complete application requirements may be found in Article 10, 89-301 (c) of the Unified Development Code at the following link:
<http://www.lafayettela.gov/ComprehensivePlan/Pages/Unified-Development-Code>

Please call and schedule a time to bring completed application to the Planning Division on the 1st floor at the Rosa Parks Transportation Center 101 Jefferson Street Lafayette, LA 70501.

REC'D AUG 26 2022

**LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT
APPLICATION FOR PROPERTY REZONING AND/OR CONDITIONAL USE PERMIT**

1. Owner's Name: Claude Alexander III
Mailing Address: 241 Townhomes Loop City: Lafayette State: LA Zip: 70501
Phone Number/Cell: 337-371-6912
Email: Claudea40@yahoo.com

2. Applicant or Owner's Authorized Representative (For example: Agent/Engineer/Surveyor)

Name: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Phone Number/Cell: _____

Email: _____

If the person paying the \$500 fee is different from the above information please put their Email here: _____

3. Location and/or street address of property: 811 Benoit-Falgout Drive
Lafayette, LA 70501

4. Legal Description of property: Part Lot 8 Sec 13 T9S R4E 165.82x
135x157x79.46 15,019 SQFT 05-59

5. Area of Property and/or Area and Number of Building(s): Clear Land

For the next step fill out only A for a Rezoning application, fill out only B for a Conditional Use Permit application, or both for a Rezoning AND Conditional Use Permit application.

6. **A. For Rezoning:** Present Zoning: Residential Mixed Requested Zoning: Commercial Mixed I

B. For Conditional Use Permit: Present Zoning: _____

Proposed Land Use: _____

7. Describe reason for application and explain how the proposed land use is compatible with the character of the neighborhood and the Comprehensive Plan. (be as specific and detailed as possible)

Hello I am asking for help from The Lafayette Parish Consolidated Government and Development and Planning on making my property Commercial Mixed. Upon doing so I am planning on opening a Retail Store. Once my store is open I will employ members of the community that are in need of work. This will not only help bring more revenue to the community, but it will also help some individuals who may be unemployed due to Covid-19 or some other issues. I will also have the opportunity to mentor young people on starting and maintaining a business and also bring pride to the community?

CERTIFICATION

Owner hereby certifies that he is the owner of the subject property, and owner, and owner's representative if applicable, declares that the statements made on this application are true and correct to the best of his knowledge and that the development shall comply with all City-Parish Regulations and Ordinances. By filing an application for rezoning, the applicant agrees to allow employees of the Lafayette City-Parish Consolidated Government, or their agents, to enter the property described in this application for inspection and to install, maintain, and remove notification signs, as required in the Unified Development Code. When signed below by owner, any Agent herein below designated is hereby appointed by owner and agrees to represent the owner(s) at the Zoning Commission's hearing of this application.

Owner's Signature Claude Alexander III

Print Name: Claude Alexander III

Date 8-22-22 Witness Yvonne R. Alexander

Applicant/Authorized Agent's Signature _____

Print Name: _____

Date _____ Witness _____

